

Date: April 23, 2008

**California Cultural and Historical Endowment
(CCHE)
Round Two Project Grant Summary**

Grant Applicant:
Wiyot Tribe

Project Division: 4
Grant Number: 49

Location /(City/County):
Indian Island / Eureka
(Eureka City)

Amount Requested:
\$310,000.00

Amount Reserved:
\$310,000.00

Completion of Capital assets project will result in:

The reestablishment of the Tuluwat Village. CCHE funds will assist with the restoration of the dock and bulkhead at the site.

Property Arrangement:

The applicant, Wiyot Tribe owns the property.

CEQA Documentation:

Lead Agency: City of Eureka

Documentation: The City of Eureka, as Lead Agency, prepared an Environmental Impact Report (EIR) for the Project that was completed in 2007. The City adopted Findings of Fact and a Statement of Overriding Considerations under CEQA on April 14, 2008, and a Notice of Determination was filed on April 16, 2008.

The Project involves the reestablishment of the Tuluwat Village World Renewal Ceremony on the original site where members of the Wiyot people and their ancestors have inhabited for 1000 years.

The EIR identified potentially significant impacts in the areas of cultural resources, transportation, biological resources, hydrology, water quality, air quality, geology and tsunami, noise, public health hazards and hazardous material, and recreation and open space. Many of these impacts could be reduced to less-than-significant levels with the application of mitigation measures. The mitigation measures identified applicable to the CCHE funded work are made a condition of CCHE approval. CCHE has independently considered the potentially significant impacts and the mitigation measures, and makes its own findings, set forth on Exhibit A.

Mitigation measures are proposed to lessen the significant environmental effects identified in the EIR, but not to a less-than-significant level. CCHE's findings on these impacts and mitigation measures are found in Exhibit A.

The City of Eureka adopted a Statement of Overriding Considerations finding the beneficial impact of the proposed project will outweigh the significant environmental effects identified in the Final EIR.

The City has considered the benefits of the proposed Tuluwat Restoration Project, and has balanced those benefits of the proposed project against the unavoidable or unmitigable impacts associated with the Project. The City has determined that the benefits identified outweigh the Project's unavoidable or unmitigable impacts, making the impacts acceptable pursuant to the requirements of the California

Environmental Quality Act (CEQA).

I. Some Environmental Effects may not be Fully Mitigated

A Final Environmental Impact Report (EIR) has been prepared for the Tuluwat Restoration Project by the City of Eureka. A Statement of Findings has been prepared, reviewed, and adopted for this EIR pursuant to Section 15091 of the CEQA Guidelines. The City found that not all of the environmental consequences of the proposed project may be mitigated to a level that is less than-significant. Potential impacts within the subject areas identified below may not all be reduced to less-than-significant levels, even though the City adopted mitigation measures in each subject area that reduced impacts below the levels that would occur without mitigation.

A. Inadequate Emergency Access. Despite the incorporation of all feasible mitigation, the Project may still result in inadequate emergency access for the project. The issue of inadequate emergency access can only be resolved by constructing an emergency access road from Highway 255 to the project site. Without such a road, emergency responders along with their appurtenant equipment such as fire trucks, ambulances, and police cars could not reach the site, which makes emergency access to and from this site more difficult than normal, less efficient, and increases response time.

The construction of an emergency access road would involve a significant increase in wetland and other ESHA impacts, including a significant increase in permanent wetland fill. A road would increase the chances of trespassing and the chances that cultural resources would be looted. A road would be inconsistent with the overall scale of the proposed project, and with the project's intent of reestablishing an historic and culturally appropriate setting where access was historically only by boat. Traffic circulation conflicts that could result from placing a road intersection on Highway 255 could prove complex, and there could be issues due to the "no access" strip the City owns between Highway 255 and the project site although gating road and reserving road for emergency use only would likely lessen such effects. This project alternative was therefore not selected by the City.

B. Risk of injury or death from tsunami event. Because of inadequate emergency access as described above in Section I.A. of this Statement, the potential impacts associated with a tsunami remain potentially significant after the incorporation of all feasible mitigation.

II. Benefits from the Tuluwat Restoration Project

A. Re-establish the Tuluwat Village World Renew Ceremony. The project would allow the Wiyot Tribe to restore their broken tradition of hosting the annual World Renewal Ceremony on the Tuluwat Village site on Indian Island. Tuluwat Village would provide a place for tribal members and visitors to carry-on their ceremonial customs such as dancing, sharing food, singing songs, and saying prayers. The ceremony would also serve as a way for the Wiyot Tribe to bring ecological and spiritual balance back to the Island, the Wiyot territory and, by extension, the world.

B. Protect sensitive cultural and archaeological resources. Over the years, archeological digging, uncontrolled looting, and erosion have taken their toll on the site. The Tuluwat Restoration Project includes both physical and programmatic elements designed to reduce or eliminate these problems. Culturally appropriate stewardship and traditional use of this site by the Wiyot Tribe are among the foundations of the Proposed Project.

C. Provide a venue for educational and cultural field trips and increase public access. The Tribe intends for the site to host not only tribal ceremonies and celebrations, but also educational, cultural, and research activities for tribal members and for the public. These would include educational field trips about local American Indian culture and natural history, interpretive or educational sites and displays, cultural activities, and cultural awareness programs. The site would also provide a secure place to support biological and hydrological research and education related to Humboldt Bay, and would be a base for operations for the Tribe's ongoing environmental monitoring programs (e.g. a place to store equipment, prepare for sampling, and monitor wildlife and bay conditions).

D. Environmental Enhancement. The Tuluwat Restoration Project includes elements that will result in environmental enhancement of

the project site as well as Humboldt Bay. The interim soil remediation project element will reduce localized impacts from dioxin and other contaminants, as well as reduce potential impacts to the bay. The removal of dilapidated buildings and debris will result in aesthetic enhancement of the project site. Removal of non-native vegetation and landscaping with native vegetation will enhance the wildlife habitat on the island. The Lead Agency for the Project, the City of Eureka reviewed the proposed Project and on the basis of the whole record before it, determined that the benefits identified above outweigh the identified adverse impacts, and the City further finds that the Project's unavoidable adverse effects are acceptable in the context of decision-making for this Project.

Using its independent judgment in reviewing the EIR prepared for this Project, staff recommends the CCHE Board adopt the findings in the attached Findings of Fact and Statement of Overriding Considerations.

Budget/Tasks/Deliverables:

Activity	Total Cost
The Tuluwat Restoration Project includes:	
▪ project management	\$33,000.00
▪ install fill material	\$35,000.00
▪ construct dock	\$205,000.00
▪ fire pit	\$1,500.00
▪ benches and seating	\$1,500.00
▪ landscape architecture	\$1,500.00
▪ pathways	\$2,500.00
▪ restore bulkhead	\$22,500.00
▪ interpretive signage	\$2,500.00
▪ informational kiosk	\$5,000.00
Totals	\$310,000.00

Matching Funds:

EPA Brownfields Clean Up Grant	\$106,000.00
Private Donor	\$40,000.00
Wiyot Sacred Sites Fund	\$25,000.00
NPS – pending	\$60,000.00
Wiyot Tribe	\$25,000.00
Totals	\$310,000.00

**CALIFORNIA CULTURAL AND HISTORICAL ENDOWMENT
BOARD
RESOLUTION NO. 08-B 4-49
Tuluwat Restoration Project**

**RESOLUTION APPROVING A CALIFORNIA CULTURAL AND
HISTORICAL ENDOWMENT (CCHE) GRANT AND AUTHORIZING
THE EXECUTIVE OFFICER, OR DESIGNEE, TO PROCESS THE
APPROVED GRANT FOR THE WIYOT TRIBE FOR THE TULUWAT
RESTORATION PROJECT**

WHEREAS, the CCHE is dedicated to preserving historical and cultural resources; and

WHEREAS, CCHE has received an appropriation from Proposition 40 California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002; and

WHEREAS, CCHE may distribute funds from Proposition 40 to projects that provide a thread of California's cultural and historical resources; and

WHEREAS, the Project listed above meets the objectives of the CCHE program; and

WHEREAS, the Project involves the reestablishment of the Tuluwat Village World Renewal Ceremony on Indian Island; and

WHEREAS, CCHE has independently considered the environmental effects of the Project as described in the Environmental Impact Report prepared by the Lead Agency, City of Eureka; and

WHEREAS, CCHE is requiring that the applicant comply with the mitigation measures applicable to the portions of the Project that CCHE is funding, as a condition of approval; and

WHEREAS, CCHE determines that the benefits of the project outweigh its unavoidable significant environmental impacts; and

WHEREAS, approval of this grant application shall be conditioned upon the grantee's complying with all applicable laws and regulations; and

NOW, THEREFORE BE IT RESOLVED that the CCHE Board adopts the Findings of Fact and Statement of Overriding Considerations attached hereto as Exhibit A and adopts the mitigation measures therein applicable to those elements of the Project that CCHE is funding as a condition of approval; and

BE IT FURTHER RESOLVED that the CCHE Board approves funding for the Project in the amount of \$310,000; authorizes the Executive Officer, or designee, to file a Notice of Determination and to process the approved grant and take all necessary actions to enter into a Grant Agreement with the applicant, subject to availability of appropriated funds; and

BE IT FURTHER RESOLVED that CCHE adopts the information contained in the CCHE Round Two Project Grant Summary.

Certification

The undersigned Chair of the CCHE Board of Directors does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CCHE Board of Directors held April 23, 2008.

Dated: _____

Signature: _____

Susan Hildreth
Chair, CCHE Board of Directors